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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/431,703	11/01/1999	STEVEN W. BROWN	APPL-P2822	9101

7590 01/27/2003

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[REDACTED] EXAMINER

PARK, ILWOO

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2182

DATE MAILED: 01/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/431,703	BROWN, STEVEN W.	
	Examiner Ilwoo Park	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 August 2002.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 10-31 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 10-31 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. Applicant's amendment filed on 8/12/2002 in response to Examiner's Office Action has been reviewed.
2. Claims 1-9 are canceled and claims 10-31 are added. The following rejections now apply.
3. Claims 10-31 are presented for examination.
4. Baugher et al. and Hake et al. were cited as prior art in the last office action.

#### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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6. Claims 10-13, 15-17, 21-24, and 26-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Shima et al., US patent No. 6,446,142.

As to claims 10 and 21, Shima et al teach a method for providing a transaction layer [fig. 1] for a module having at least one node connected to a serial bus that configures a link device for each of said at least one nodes comprising:

detecting [col. 4, lines 1-31; col. 10, lines 48-57] a link driver;

receiving [col. 3, lines 13-17; col. 3, lines 38-40; col. 4, lines 1-31] capabilities of said link driver;

generating [col. 3, lines 41-42; col. 4, lines 1-31] a link driver configuration for said link driver from said capabilities of said driver; and

loading [col. 3, lines 33-37; col. 4, lines 1-31] said link driver configuration into said link driver.

7. As to claims 11 and 22, Shima et al teach querying [col. 6, lines 21-25] said link driver for said capabilities.

8. As to claims 12 and 23, Shima et al teach receiving said capabilities of said link driver from said link driver [col. 4, lines 7-9; col. 4, lines 21-23].

9. As to claims 13 and 24, Shima et al teach storing said capabilities of said link driver [col. 4, lines 18-19].

10. As to claims 15 and 26, Shima et al teach receiving configuration information for said link driver [col. 4, lines 7-9; col. 4, lines 21-23].

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11. As to claims 16 and 27, Shima et al teach generating said link driver configuration from [col. 4, lines 7-9; col. 4, lines 21-23] said capabilities and said configuration information.
12. As to claims 17 and 28, Shima et al teach storing said configuration data [col. 4, lines 18-19].

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 14, 18, 25, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shima et al., US patent No. 6,446,142.

As to claims 14 and 25, Shima et al teach generating a node in a list for said link driver and storing said capabilities of said link driver in a data field of said node. Shima et al do not show the list is in a form of linked list. However, Shima et al teach a linked list form [P1394 standard draft 8.0v2 disclosing a configuration ROM storing entries for node capabilities within a root directory providing a pointer to another directory which has same structure as the root directory].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a form of linked list for storing said capabilities for easiness of managing a node by a pointer [col. 6, lines 15-20].

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15. Claims 19, 20, 30, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shima et al. as applied to claims 10 and 21 above, and further in view of Levy et al., US patent No. 6,212,633.

As to claims 19, 20, 30, and 31, Shima et al. do not disclose receiving an input of user defined configuration data for a link driver.

Levy et al teach a method for configuring a link device of a P1394 serial bus based on capabilities [col. 9, lines 10-26] of a link driver and an input of user defined configuration data received [col. 10, lines 43-55].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Shima et al and Levy et al because they both teach configuring a link device of a P1394 serial bus based on capabilities and Levy et al's teaching of receiving an input of user defined configuration data for a link driver would increase flexibility/user friendliness in configuring a link device of Shima et al.

#### *Response to Arguments*

16. Applicant's arguments with respect to claims 10-31 have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

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17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. Any inquiry concerning this communication should be directed to Ilwoo Park, whose telephone number is (703) 308-7811 or via e-mail, *ilwoo.park@uspto.gov*. The Examiner can normally be reached Monday through Friday from 9:00 AM to 5:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Jeffrey A. Gaffin, can be reached at (703) 308-3301.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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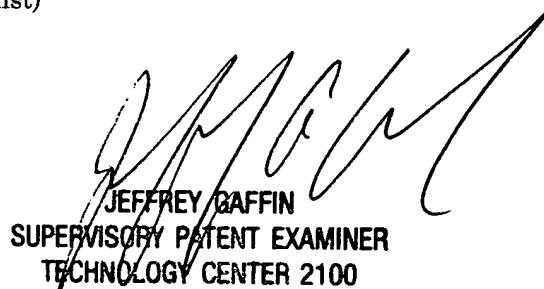
**or faxed to:**

(703) 746-7239 (for formal communications intended for entry),  
(703) 746-7238 (for after-final communications),

**or:**

(703) 746-7240 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist)



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January 20, 2003